

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Jordani Emil Medrano,

Plaintiff,

v.

Unknown Party, et al.,

Defendants.

No. CV-25-00162-PHX-JFM

ORDER

This matter was assigned to Magistrate Judge James F. Metcalf. (Doc. 3). On January 30, 2025, the Magistrate Judge filed a Report and Recommendation with this Court.¹ (Doc. 9). The Magistrate Judge has recommended that Plaintiff's Amended Application to Proceed Without Prepayment of Fees, (Doc. 8), be denied and that

¹ This case is assigned to a Magistrate Judge. However, not all parties have consented to the jurisdiction of the Magistrate Judge. Thus, the matter is before this Court pursuant to General Order 21-25, which states in relevant part:

When a United States Magistrate Judge to whom a civil action has been assigned pursuant to Local Rule 3.7(a)(1) considers dismissal to be appropriate but lacks the jurisdiction to do so under 28 U.S.C. § 636(c)(1) due to incomplete status of election by the parties to consent or not consent to the full authority of the Magistrate Judge,

IT IS ORDERED that the Magistrate Judge will prepare a Report and Recommendation for the Chief United States District Judge or designee.

IT IS FURTHER ORDERED designating the following District Court Judges to review and, if deemed suitable, to sign the order of dismissal on my behalf:

Phoenix/Prescott: Senior United States District Judge Stephen M. McNamee

1 Plaintiff be ordered to pay the filing fee. To date, no objections have been filed.

2 STANDARD OF REVIEW

3 The Court “may accept, reject, or modify, in whole or in part, the findings or
4 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v.
5 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the
6 service of a copy of the Magistrate’s recommendation within which to file specific
7 written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to
8 object to a Magistrate Judge’s recommendation relieves the Court of conducting *de novo*
9 review of the Magistrate Judge’s factual findings and waives all objections to those
10 findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to
11 object to a Magistrate Judge’s conclusion “is a factor to be weighed in considering the
12 propriety of finding waiver of an issue on appeal.” Id.

13 DISCUSSION

14 Having reviewed the Report and Recommendation of the Magistrate Judge, and no
15 Objections having been made by any party thereto, the Court hereby incorporates and
16 adopts the Magistrate Judge’s Report and Recommendation.

17 CONCLUSION

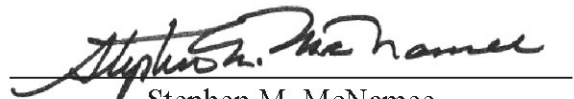
18 Accordingly, for the reasons set forth,

19 **IT IS ORDERED adopting** the Report and Recommendation of the Magistrate
20 Judge. (Doc. 9).

21 **IT IS FURTHER ORDERED denying** Plaintiff’s Amended Application to
22 Proceed Without Prepayment of Fees. (Doc. 8).

23 **IT IS FURTHER ORDERED** that Plaintiff must pay the filing fee on or before
24 March 7, 2025. Should Plaintiff fail to pay the filing fee by this deadline, this matter will
25 be dismissed without prejudice.

26 Dated this 21st day of February, 2025.

27 
28 Stephen M. McNamee
Senior United States District Judge